

OVERVIEW

LONG-TERM CARE



Murtha Cullina LLP's attorneys provide quality, value and client-centered service. Our Long-Term Care Practice Group has significant experience in meeting the needs of nursing home, assisted living and senior housing providers, home health and hospice agencies. The firm represents nearly 200 for-profit and not-for-profit nursing homes and a large number of assisted living providers in Connecticut and Massachusetts. We serve as general counsel to the Connecticut Association of Health Care Facilities (CAHCF), the major Connecticut nursing home association, and the Connecticut Assisted Living Association (CALA).

This strong long-term care client base has allowed us to develop significant knowledge and in-depth attorney staffing to meet our long-term care clients' needs. Our interdisciplinary team approach provides our clients with attorneys experienced in all types of legal issues affecting long-term care providers. This range and depth of experience assures quality legal services specifically designed to meet the needs of providers. Our attorneys advise and represent providers regarding all aspects of long-term care, including:

- Regulatory and risk management
- Acquisitions and sales
- Commercial and tax-exempt financing
- Licensing
- HIPAA and corporate compliance
- Medicare and Medicaid Audits/Reimbursement
- Collections and evictions
- Work-outs and restructuring
- Litigation/Labor and employment/ OSHA

The firm also advises not-for-profit providers regarding corporate governance and tax-exempt status.

PROFESSIONAL AFFILIATIONS

Our attorneys have an outstanding record of service to industry and professional groups and with government-industry partnerships, including serving on the boards of the Connecticut Assisted Living Association (CALA) and the Connecticut Association for Long-Term Care Financial Managers. In addition, we are members of Massachusetts Assisted Living Facilities Association (Mass-ALFA) and the Massachusetts Senior Care Association. Members of the practice group serve on key committees of national long-term care associations and are frequent speakers before state and national for-profit and not-for-profit audiences.

SERVICES

Regulatory & Risk Management

Financing

Debt & Equity Issuance

Acquisition/Development

Project Turn-Around

Litigation

Labor & Employment

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EFFECTIVE SOLUTIONS

Murtha Cullina's attorneys are intensely aware of the cost and reimbursement pressures imposed on today's long-term care providers and their need for superior value in legal services. Because our attorneys are intimately familiar with this challenging business environment, we are able to focus our efforts on developing practical, cost-effective solutions to legal problems. Clients will find our rates highly competitive. Our team approach allows us to utilize attorneys with different levels of experience in numerous areas to achieve an appropriate, cost-effective fee structure and true value for every client, on every matter, every time.

REGULATORY AND RISK MANAGEMENT

Our attorneys have extensive experience in regulatory matters, including representing clients before state and federal agencies, including the U.S. Department of Health and Human Services Centers for Medicare and Medicaid Services (CMS) and Office of Inspector General (OIG). Our attorneys have experience with initial licensing and changes of ownership, rate appeals, Medicare and Medicaid audits, IDRs and IIDRs, HIPAA, and corporate compliance. We assist clients in drafting and reviewing policies and procedures, contracting, investigations and a wide range of other risk management issues.

FINANCING, DEBT AND EQUITY ISSUANCE

We provide legal counsel to clients in all manner of debt transactions in both the commercial and tax-exempt sectors, including working capital and acquisition financing. We have extensive knowledge of financing requirements for tax exempt bonds. We assist our clients in documenting hedging transactions to control interest rate risk and credit enhancements to reduce interest cost.

We also regularly represent businesses with structuring and completing debt and equity capital raising transactions that are exempt from federal and state registration requirements. We have extensive experience negotiating financing transactions involving venture capitalists, private placements and other alternative financing sources.

ACQUISITION/DEVELOPMENT

The Group represents clients in all aspects of acquisition and development, including licensing, construction contracting, project permitting, due diligence and deal negotiation and documentation. We assist clients in formation of entities and in structuring transactions, with particular emphasis on tax matters, operating control and profit allocation.

LITIGATION

Our litigation attorneys regularly represent long-term care clients in Massachusetts and Connecticut on a variety of business disputes, contract actions, Uniform Commercial Code actions as well as tort claims. In addition, we have extensive experience representing long-term care clients on collection and eviction matters.

PROJECT TURN-AROUND

The Group has extensive experience in working with clients in project turn-arounds. This work includes acquisition of troubled facilities out of bankruptcy, foreclosure and receiverships. We also represent distressed facilities in workouts, restructurings and sales. Receivers and restructuring officers of troubled facilities have often turned to our lawyers for assistance.

LABOR AND EMPLOYMENT

Our labor and employment attorneys counsel clients on all aspects of the employment relationship, including assistance with personnel policies, wage and hour issues, employment discrimination matters, responding to OSHA citations and defending claims of wrongful discharge. We represent management in labor organizing matters, contract negotiations, strikes and strike avoidance, and enforcement proceedings before federal and state agencies. In addition, our attorneys provide counseling and education to help management avoid employment problems before they arise.

SEMINARS & EVENTS

- The Long-Term Care Group presents an annual *Back to Basics* seminar series for the Connecticut Association of Health Care Facilities (CAHCF). These popular seminars provide basic training in laws affecting all areas of nursing home operations.
- Heather O. Berchem and Dena M. Castricone are regular speakers at the annual Connecticut Assisted Living Association's Executive Director Certification Course and annual RN SALSA Course.
- Heather O. Berchem and Dena M. Castricone presented for the Massachusetts Senior Care Association on Regulatory Hot Topics (Feb. 2014) and HIPAA for Nursing Homes (May 2013).
- Dena M. Castricone presented for the Connecticut Association of Health Care Facilities (CAHCF) on The Younger Generation in Nursing Homes, April 2014.

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With six offices throughout Connecticut, Massachusetts and New York, Murtha Cullina LLP offers a full range of legal services to meet the local, regional and national needs of our clients. Our practice encompasses litigation, regulatory and transactional representation of businesses, governmental units, non-profit organizations and individuals.

**MURTHA
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ATTORNEYS AT LAW